

EXHIBIT F

September 6, 2007

Angela M. Seaton

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Dear Ken:

This letter memorializes the agreements we reached earlier today during our "meet and confer" telephone conference.

1. **THE 450 INDIVIDUALS LISTED ON PLAINTIFF RUTH SMITH'S RULE 26(a) DISCLOSURES:** The parties agree to disclose the names of the witnesses they intend to call at trial sixty (60) days prior to the start of trial. As to any witness who has not been deposed at the time of disclosure, the parties agree to make any such persons available for deposition.
2. **THE SMITH FACT DEADLINE:** Plaintiff's counsel has agreed that they will not object on timeliness grounds to the depositions of the Smith family members or any additional fact witnesses taken outside the September 15, 2007 fact discovery deadline. Plaintiff's counsel reserves their right to object to the number of depositions noticed in this case.
3. **PROTOCOL FOR DEPOSITIONS OF PRODUCTS LIABILITY EXPERTS:** With regard to depositions of products liability experts, the parties agree that two different attorneys will be permitted to question deponents.

Based on our verbal agreement as set forth above, the parties do not anticipate motion practice in the MDL as to these issues. Please let me know if you have questions or concerns.

Regards,



Angela M. Seaton

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REFER TO OUR FILE #: 200599

September 7, 2007

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Dear Angela,

Thank you for memorializing our telephone discussion of yesterday in your letter, dated September 6, 2007. Let me take this moment to clarify issues reflected in your letter. I think you will find we are still in agreement.

Your letter groups our purported disputes into three (3) sections, and so I take issue only with section one (1):

"THE 450 INDIVIDUALS LISTED ON PLAINTIFF RUTH SMITH'S RULE 26(a) DISCLOSURES." Your heading would imply that the agreement is limited to Smith's disclosures; in fact, it applies to Defendants' disclosures too. Your letter is ambiguous on this issue. Also, as to your reference to a deposition in this section, the parties can only make a person who is under their control "available" for a deposition, and so neither party is truly in a position to commit to such a representation. Finally, this section should also be governed by the same reservation-of-rights clause that you include in section two (2), as follows: "Plaintiff's counsel reserves their right to object to the number of depositions noticed in this case."

I hope you will find these issues to be more form over substance. Please do not hesitate to contact me with questions or comments.

Very truly,



Kenneth Fromson
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